

ELLIOTT & ELLIOTT, P.A.
ATTORNEYS AT LAW
1508 Lady Street
COLUMBIA, SOUTH CAROLINA 29201
selliott@elliottlaw.us

SCOTT ELLIOTT

TELEPHONE (803) 771-0555
FACSIMILE (803) 771-8010

August 12, 2019

VIA E-FILING

Jocelyn Boyd, Esquire
Chief Clerk and Administrator
South Carolina Public Service Commission
101 Executive Center Drive
Columbia, SC 29210

RE: South Carolina Energy Freedom Act (H.3659) Proceeding to Establish
Duke Energy Progress, LLC's Standard Offer, Avoided Cost Methodologies,
Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any
Other Terms and Conditions Necessary (Includes Small Power Producers as
Defined in 16 United States Code 796, as Amended) – S.C. Code Ann. Section 58-
41-20(A)
Docket No. 2019-186-E

Dear Ms. Boyd:

I have enclosed for filing the Petition to Intervene of the South Carolina Energy Users Committee ("SCEUC") in the above-captioned matter. By copy of this letter, I am serving all parties of record and requesting that each serve me with all outstanding motions or other pleadings, together with all discovery responses served to date and to be served.

If you have questions, please do not hesitate to contact me.

Sincerely,

ELLIOTT & ELLIOTT, P.A.

Scott Elliott

SE/lbk
Enclosures


cc: All parties of record (w/enc.)

STATE OF SOUTH CAROLINA
BEFORE THE PUBLIC SERVICE COMMISSION

DOCKET NO. 2019-186-E

IN THE MATTER OF:)
)
South Carolina Energy Freedom Act)
(H.3659) Proceeding to Establish)
Duke Energy Progress, LLC's)
Standard Offer, Avoided Cost)
Methodologies, Form Contract)
Power Purchase Agreements,)
Commitment to Sell Forms, and Any)
Other Terms or Conditions Necessary)
(Includes Small Power Producers as)
Defined in 16 United States Code 796, as)
Amended) - S.C. Code Ann.)
Section 58-41-20(A))

PETITION TO INTERVENE

 The South Carolina Energy Users Committee ("SCEUC") hereby petitions the South Carolina Public Service Commission ("Commission") pursuant to R.103-825 of the Commission's rules and regulations to intervene and be made a party of record in the above-captioned docket. In support of this Petition, SCEUC would allege as follows:

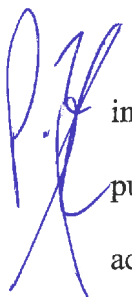
1. This docket has been established to address Duke Energy Progress, LLC's standard offer, avoided cost methodologies, form contract power purchase agreements, commitment to sell forms, and other terms and conditions necessary as required by the South Carolina Energy Freedom Act (H.3659).

2. That SCEUC is an association organized in the State of South Carolina, consisting of large consumers of energy which are engaged in various manufacturing enterprises throughout the State.

3. That a number of members of SCEUC purchase and consume substantial amounts of electricity from Duke Energy Progress, LLC.

4. That SCEUC and its members have a direct and material interest in the issues to be addressed and resolved by the Commission in this docket and the interests of its members are not adequately represented by the current parties to this proceeding.

5. That given the state of the record at this stage of the proceedings, SCEUC lacks sufficient information to fully develop and state its position in this proceeding at this time.

 6. That granting SCEUC's request to be made a party of record in this proceeding is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in issues before it, and should be allowed so that a full and complete record addressing its views and concerns can be developed.

7. That Petitioner is represented by counsel in this proceeding as follows:

Scott Elliott, Esquire
 Elliott & Elliott, P.A.
 1508 Lady Street
 Columbia, South Carolina 29201
 Telephone: 803-771-0555
 Fax: 803-771-8010
selliott@elliottlaw.us

WHEREFORE, Petitioner prays for the following relief:

- a. That this Petition to Intervene be accepted and that Petitioner be made a party of record;
- b. That Petitioner be allowed to participate fully in this proceeding and take such positions as it deems advisable; and
- c. For such other and further relief as is just and proper.



Scott Elliott, Esquire
ELLIOTT & ELLIOTT, P.A.
1508 Lady Street
Columbia, SC 29201
(803) 771-0555

*Attorney for the South Carolina Energy
Users Committee*

P3
Columbia, South Carolina
August 12, 2019

CERTIFICATE OF SERVICE

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that she has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Progress, LLC Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms and Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) – S.C. Code Ann. Section 58-41-20(A)

DOCKET NO.: 2019-186-E

PARTIES SERVED: **Via Electronic and U.S. Mail**
 Nanette S. Edwards, Esquire
 Andrew M. Bateman, Esquire
 Alexander W. Knowles, Esquire
 Office of Regulatory Staff
 1401 Main Street, Suite 900
 Columbia, SC 29201

Heather S. Smith, Esquire
 Deputy General Counsel
 Duke Energy Progress, LLC
 40 W. Broad Street, Suite 690
 Greenville, South Carolina 29601

Rebecca J. Dulin, Esquire
 Duke Energy Progress, LLC
 1201 Main Street, Suite 1180
 Columbia, SC 29201

Becky Dover, Esquire
 Carri Grube - Lybarker, Esquire
 SC Department of Consumer Affairs
 P.O. Box 5757
 Columbia, SC 29250

Frank R. Ellerbe III, Esquire
Samuel J. Wellborn, Esquire
Robinson Gray Stepp & Laffitte, LLC
Post Office Box 11449
Columbia, SC 29211

James Goldin, Esquire
Weston Adams III, Esquire
Nelson Mullins Riley & Scarborough LLP
1320 Main Street 17th Floor
Columbia, SC 29210

Richard L. Whitt, Esquire
Whitt Law Firm, LLC
Post Office Box 362
Irmo, SC 29063

Stinson Woodward Ferguson, Esquire
Southern Environmental Law Center
463 King Street - Suite B
Charleston, SC 29403

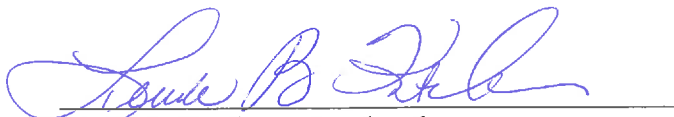
J. Blanding Holman, IV, Esquire
Southern Environmental Law Center
463 King Street - Suite B
Charleston, SC 29403

Robert R. Smith, II, Esquire
Moore & Van Allen, PLLC
100 North Tryon Street, Suite 4700
Charlotte, NC 28202

PLEADING:

Petition to Intervene

August 12, 2019



Linda B. Kitchens, Paralegal
ELLIOTT & ELLIOTT, P.A.
1508 Lady Street
Columbia, SC 29201
linda@elliottlaw.us